## REMARKS

### 1. Claim Rejections – 35 U.S.C. § 102(e) – claims 1-15

The Examiner rejected claims 1-15 under 35 U.S.C. § 102(e) as being anticipated by Luciano. The Applicants respectfully traverse the rejection. In the Response to Arguments section of the Office action mailed October 16, 2007, the Examiner stated that the Applicant's arguments were not persuasive because the corresponding petition to correct inventorship under Rule 48 was dismissed.[1] "Consequently," the Examiner asserted, "a proper showing of the subject matter being derived from the work of the Applicants has not been made and the [E]xaminer maintains the rejection."

Subsequent to the mailing of the Office action, on reconsideration, the Office of Petitions granted the Rule 48 petition.[2] Accordingly, the Applicants respectfully submit that the relevant subject matter of the '150 Patent is not an invention by "another"[3] with regard to the pending claims herein. Therefore, the Applicants respectfully submit that Luciano, the '150 Patent, is not anticipatory art and request that the rejection be withdrawn.

### 2. Claim Rejections – 35 U.S.C. § 103(a) – claims 1-15

The Examiner rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over Tulley. The Applicants respectfully traverse the rejection. For the sake of brevity, the rejections of the independent claims are discussed in detail on the understanding that the dependent claims are also patentably distinct over the cited reference, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

Independent claim 1 recites the following claim element, not taught or suggested by Tulley: "a player terminal configured to determine a base game play result and a bonus game

[1] The Applicants submission of August 8, 2007 stated that the relevant subject matter of the Luciano '150 Patent was derived from the work of the Applicants, as amended, to correct inventorship.
[2] See Decision on Petition mailed November 20, 2007.
[3] 35 U.S.C. § 102(a) or (e); see, in general, MPEP § 2132.01.

play result from a single game play result." Although the Examiner conceded that Tulley does not specifically disclose this claim element, the Examiner asserted that "[i]nstead, Tulley discloses that a player may choose to play multiple games, including base games and secondary games, in order to display and obtain the total amount generated by the central server." (Office action, p. 12, ll. 15-19, emphasis added). Contrary to the Examiner's assertion, the Applicants respectfully submit that Tulley's "multiple games" do not teach or suggest a bonus game. Rather, Tulley only discloses a plurality of base games.

More specifically, the Examiner cites Tulley at 10:10-65 for disclosing that the player chooses to play a "secondary" game subsequent to the playing a base slot-machine type game (Office action, p. 12, ll. 8-11). However, Tulley's "secondary" game to which the Examiner refers is merely "another" base game that the player "decides to try." (Tulley, 10:37-44). In fact, Tulley both (a) entirely omits the term "secondary," and (b) is silent with regard to the concept of a "secondary" game. The term "secondary" refers to something that is "immediately derived from something original, primary, or basic."[4] At best, Tulley does disclose "another" game, a hidden treasure maze game, but the Applicants respectfully submit that this game has no immediate relationship to the base slot game and thus is not a secondary game. Rather, the "another" game is merely one of multiple games provided by a gaming establishment. Therefore, the Applicants respectfully submit that Tulley does not teach or suggest a bonus game.

In like manner, independent claims 6 and 11 recite the claim element, "determining a base game play result and a bonus game play amount from the game play result." As set forth with regard to claim 1, Tulley does not teach or suggest the claimed bonus game play amount. Therefore, for at least the reasons set forth herein, claims 1-15 are non-obvious over Tulley. Accordingly, the Applicants respectfully request that the rejection be withdrawn.

[4] "Secondary." *Webster's Third New International Dictionary, Unabridged.* Merriam-Webster, 2002. http://unabridged.merriam-webster.com (15 Jan. 2008).

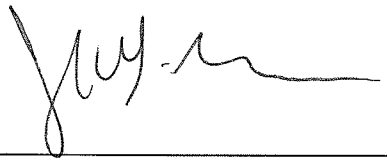
## CONCLUSION

The Applicants have made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 1-15 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 C.F.R. §§ 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,



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